

Serial No. 09/473,667
TKHR Ref. 190251-1760

REMARKS

I. Present Status of Patent Application

Claims 1-41 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Hunt, *et al.* (U.S. Patent Number 6,094,476, hereinafter "Hunt").

II. Examiner Interview

An Examiner Interview was conducted on January 20, 2004, in which the Examiner and Applicants' attorney discussed the subject matter of the claims with reference to Hunt. During the course of the interview, an agreement was reached that Hunt neither taught nor suggested a switching between a first command mode and a second command mode in response to a command signal from a user.

Applicants thank the Examiner for his time and cooperation to advance the prosecution of this case.

III. Discussion of Rejections

The Office Action rejects claims 1-41 under 35 U.S.C. § 102(e) as being unpatentable over Hunt. For the reasons set forth below, Applicants traverse the rejection of claims 1-41.

As noted above, during a telephone conference with the Examiner, an agreement was reached that Hunt neither taught nor suggested switching between a first command mode and a second command mode in response to a command signal from a user.

Applicants have directly amended independent claims 1, 7, 12, 25, 28, 30, and 39 to more clearly show the distinguishing feature of these independent claims. Applicants note that the amendment was made for purposes of clarity, and not as a narrowing amendment for purposes of

Serial No. 09/473,667
TKHR Ref. 190251-1760

patentability. In other words, it is not Applicants' intent to surrender any equivalents by amending the claims for clarity. In that regard, Applicants respectfully submit that the current amendments are not narrowing amendments that should result in a surrender of equivalents to claims 1, 7, 12, 25, 28, 30, and 39.

Claims 2-6 depend from allowable independent claim 1; claims 8-11 depend from allowable independent claim 7; claims 13-24 depend from allowable independent claim 12; claims 26 and 27 depend from allowable independent claim 25; claim 29 depends from allowable independent claim 29; claims 31-38 depend from allowable independent claim 30; and claims 40-41 depend from allowable independent claim 39. Applicants respectfully submit that, insofar as claims 8-11, 13-24, 26-27, 29, 31-38, and 40-41 depend from allowable independent claims, for at least this reason, claims 8-11, 13-24, 26-27, 29, 31-38, and 40-41 are allowable. Applicants, therefore, respectfully request allowance of claims 8-11, 13-24, 26-27, 29, 31-38, and 40-41.

Serial No. 09/473,667
TKHR Ref. 190251-1760

CONCLUSION

Applicants respectfully submit that all claims are now in condition for allowance, and respectfully request that the Examiner passes this case to issuance. If, in the opinion of the Examiner, another telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

If there is any deficiency in this fee, or if and additional fees are required. Applicants authorize those fees to be charged to Deposit Account No. 20-0778.

Respectfully submitted,

By:


Jeffrey R. Kuester
Registration No. 34,367

Thomas, Kayden, Horstemeyer & Risley, LLP
100 Galleria Pkwy, NW
Suite 1750
Atlanta, GA 30339
770-933-9500